

EXHIBIT "C"

**United States District Court
Judgment and Commitment Document
and Sentence Computations by the
Federal Bureau of Prisons**

ENTERED ON DOCKET

7-16-02

United States District Court District of Puerto Rico

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

For Offenses Committed On or After November 1, 1987)

V.

JULIO PEREZ-CARABALLO

Case Number 00-0043-46 (PG)

Entered on Docket: _____

Luis R. Rivera-Rodriguez, Esq.

Defendant's Attorney

THE DEFENDANT:

- ☒ Plead guilty to count(s) One (Superseding Indictment)
- ☐ Plead nolo contendere to count(s) _____ which was accepted by the court.
- ☐ Was found guilty on count(s) _____ after a plea of not guilty.
- ☐ The defendant has been found not guilty on count(s) _____
- ☒ Counts TWO AND THREE are dismissed on the motion of the United States

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
21 U.S.C. § 846	Conspiracy to possess with intent to distribute at least 2 kilograms but less than 3.5 kilograms of cocaine, a class "B" felony	1993 - March 15, 2000	ONE

RECEIVED & FILED
JUL 12 PM 5:09
CLERK OF DISTRICT COURT
SAN JUAN, P.R.

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Defendant's Soc. Sec. No.: 583-45-3976

July 12, 2002

Defendant's Date of Birth: 06/02/1972

Date of Imposition

Defendant's USM No.: 19370-069

Defendant's Residence Address:

#30 Pasarell Street

Yauco, Puerto Rico 00698

D. Brock Hornby
Signature of Judicial Officer

D. Brock Hornby, United States District Judge

Name & Title of Judicial Officer

Defendant's Mailing Address

7/12/02

Date

11/5/02
A/c: 2 USM, 1 MOC
B/c: USM, USPO, PTSO, PC

959 ml

AO 245B (Rev. 3/01) Sheet 2 - Imprisonment

DEFENDANT: JULIO PEREZ-CARABALLO
CASE NUMBER: 00-0043-46

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IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of EIGHTY SEVEN (87) MONTHS TO RUN CONCURRENT WITH ANY COMMONWEALTH SENTENCE THE DEFENDANT IS CURRENTLY SERVING.

The defendant shall receive credit for time spent in presentence detention.

☒ The cost of incarceration fee is waived.

The court makes the following recommendations to the Bureau of Prisons: That the defendant be enrolled in the Intensive Drug Treatment Program.

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district,
☐ at _____ a.m./p.m. on _____.
☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons.
☐ before 2 p.m. on _____.
☐ as notified by the United States Marshal.
☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____ with a certified copy of this judgment

United States Marshal
By _____
Deputy Marshal

DEFENDANT: JULIO PEREZ-CARABALLO
CASE NUMBER: 00-0043-46

Judgment—Page 3 of 6

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of FOUR (4) YEARS.

The Defendant shall report to the probation office in the district which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

For offenses committed on or after September 13, 1994:

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below).
The defendant shall also comply with the additional conditions on the attached page (if indicated below).

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

AO 245B (Rev. 3/01) Sheet 3 - Supervised Release

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DEFENDANT: JULIO PEREZ-CARABALLO
CASE NUMBER: 00-0043-46

ADDITIONAL SUPERVISED RELEASE TERMS

1. The defendant shall not commit another federal, state, or local crime and shall observe the standard conditions of supervised release recommended by the United States Sentencing Commission and adopted by this Court.
2. The defendant shall not illegally possess a controlled substance and the defendant shall not possess a firearm, destructive device or any other dangerous weapon.
3. The Defendant shall refrain from the unlawful use of controlled substances and submit to a drug test within fifteen (15) days of release on supervised release, and at least two (2) tests thereafter when so requested by the U.S. Probation Officer. If any such samples detect substance abuse, the Defendant shall, at the discretion of the U.S. Probation Officer, participate in a substance abuse treatment program, arranged and approved by the U.S. Probation Officer until duly discharged by authorized program personnel with the approval of the U.S. Probation Officer.

AO 245B (Rev. 3/01) Sheet 5, Part A - Criminal Monetary Penalties

DEFENDANT: JULIO PEREZ-CARABALLO
CASE NUMBER: 00-0043-46

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CRIMINAL MONETARY PENALTIES

The defendant shall pay the following criminal monetary penalties.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
Totals:	\$100.00		

FINE

☒ The court finds that the defendant does not have the ability to pay a fine. The Court will waive the fine in this case.

☐ The above fine includes costs of incarceration and/or supervision in the amount of \$0.00.

RESTITUTION

☐ The determination of restitution is deferred until . An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

☐ The defendant shall make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid in full prior to the United States receiving payment.

<u>Name of Payee</u>	<u>*Total Amount of Loss</u>	<u>Amount of Restitution Ordered</u>	<u>Priority Order or Percentage of Payment</u>
		\$	
TOTALS		\$	

☐ If applicable, restitution amount ordered pursuant to plea agreement \$

☐ The defendant shall pay interest on any fine or restitution of more than \$2,500, unless the fine or restitution is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest, and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for offenses committed on or after September 13, 1994 but before April 23, 1996.

AO 245B (Rev. 3/01) Judgment in a Criminal Case
Sheet 6 — Criminal Monetary Penalties

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DEFENDANT: JULIO PEREZ-CARABALLO
CASE NUMBER: 00-0043-46

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:
Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) community restitution, (6) fine interest (7) penalties, and (8) costs, including cost of prosecution and court costs.

A ☒ In full immediately.

Any amount that the defendant is unable to pay now shall be paid in monthly installments, to be initially determined in amount by the supervising officer. Said payments are to be made during the period of his/her supervised release/probation subject always to review by the sentencing judge on request, by either the defendant or the government.

☐ not later than _____ or
☐ in accordance with ☐ C. ☐ D. or ☐ E below; or

B ☐ Payment to begin immediately (may be combined with ☐ C. ☐ D. or ☐ E below); or

C ☐ Payment in _____ (e.g., equal, weekly, monthly, quarterly) installments of \$ _____ over a period of _____
(e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or

D ☐ Payment in _____ (e.g., equal, weekly, monthly, quarterly) installments of \$ _____ over a period of _____
(e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or

E ☐ Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise in the special instruction above, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court, unless otherwise directed by the court, the probation officer, or the United States attorney.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant Name, Case Number, and Joint and Several Amount:

☐ The defendant shall pay the cost of prosecution.

☐ The defendant shall pay the following court cost(s):

☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

INPTD 540*23 *
OF 002 *

SENTENCE MONITORING
COMPUTATION DATA
AS OF 08-19-2004

08-19-2004
09:14:55

19370-069 NAME: PEREZ-CARABALLO, JULIO

-----CURRENT COMPUTATION NO: 010 -----

COMPUTATION 010 WAS LAST UPDATED ON 05-03-2004 AT EST AUTOMATICALLY

THE FOLLOWING JUDGMENTS, WARRANTS AND OBLIGATIONS ARE INCLUDED IN
CURRENT COMPUTATION 010: 010 010

SENTENCE COMPUTATION BEGAN..... 07-12-2002

SENTENCE IN EFFECT..... 07 MONTHS

SENTENCE IN EFFECT CONVERTED... 7 YEARS

DATE OF OFFENSE..... 03-15-2000

3 MONTHS
Needs SENTENCE TO SHORT HERE;
FEDERAL RCL

SENTENCE OR CREDIT TIME..... 0

SENTENCE INOPERATIVE TIME..... 0

TOTAL GCT EARNED AND PROJECTED... 341

TOTAL GCT EARNED..... 108

STATUTORY RELEASE DATE PROJECTED: 11-04-2008

SIX MONTH /10 DATE..... N/A

EXPIRATION FULL TERM DATE..... 10-11-2009

PROJECTED SATISFACTION DATE..... 11-04-2008

SATISFACTION METHOD.... GCT REL

DEFENDANT'S SENTENCE WAS ORDERED TO RUN CONCURRENT TO HIS
STATE SENTENCE. DOB = 07-12-2000

AM

TRANSACTION SUCCESSFULLY COMPLETED